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10/092,087	03/06/2002	Susumu Takatsuka	SCEIYO 3.0-119	8526

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EXAMINER
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MOSSER, ROBERT E

ART UNIT	PAPER NUMBER
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3714

DATE MAILED: 11/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/092,087

Applicant(s)

TAKATSUKA ET AL.

Examiner

Robert Mosser

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 19 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**



**In response to amendment received.**

**Claims 1 through 16 are pending.**

**This action is final.**



***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims **1-16** are rejected under 35 U.S.C. 102(b) as being anticipated by  
Hypertext Markup Language – 2.0 by Berners-Lee & Connolly herein referred to as  
html.

Html is used over the Internet (a network) for the distribution of web pages  
equivalently a plurality of scenes or equivalently program scenes comprised of a  
specific pre-distributed plurality of elemental information as so claimed (page 1 paras 2-  
3). Wherein the pre-distributed elemental information is understood as the html  
interpreter (i.e. web browser) or alternatively the cached data present on the computer  
(terminal apparatus) containing the web browser.

Html is a series of instructions detailing the inherent managing of element information  
including configuring and combining of said elements. Wherein the placement of

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elements in particular locations of a web page is equated to configuring and the web page in its entirety is considered a combination. The storing of these scenes is presented in the display of them in turn at least implicitly requiring the storing of said scenes in the video memory of the terminal device. The control information is viewed as the html code in of itself, and the distribution of this control information to the terminal device is viewed as the transmission of the web page or equivalently described desired scene to the computer containing the web browser. Wherein the web browser decodes the received control data to produce the desired scene comprised of elements, in the order the html instructions are read, transmitted, and originally ordered. Where it is further understood that the above described process would be repeated for the display of multiple scenes.

Newly amended language directed to an "accumulated program file" is equivalent to the previously presented html document and is understood to encompass a plurality of "character control commands" (equivalent html commands). Related features directed to the control of character control and background information are considered to be incorporated features of html as taught throughout the above cited document as they relate to the handling of back ground and foreground colors as well as the use and display of images.

Claims **1-16** are rejected under 35 U.S.C. 102(b) as being anticipated by How it Works: Online Gaming by Christopher Breen herein after referred to as OG.

OG (3 pages to be considered in whole) sets forth the basic operational relationship between a game servers and client computers connected through the Internet. In general the server is responsible for the organization of game world data or maintaining the actual game environment and transmitting this data to the associated clients ("state of the world"). This corresponds to the generation and transmitting of a program file specifying a plurality of character control and background elemental information for a plurality of different character control and background elements in association with the accumulated program file (the server information of OG directs the client to display the game in it's current status).

OG further sets forth the responsibility of a client program (applicant's distributed accumulated program file) for the generation of game graphics (equivalent scenes) is provided for by the client computer. This is due to the inherent functionality of MMORPGs including those listed in the article such as Ultima Online by Electronic Arts and Everquest by Sony Online Entertainment. In particular the games rely on graphical user interaction and the portrayal of a virtual world to each of a great multitude of user's from their unique perspective (view point). The client computers must generate the game graphics based on direction from a game server due to the well known constraints of communication bandwidth, the sheer processing power required to generate a visual game display (scene) that are unique to each of a multitude of user's, and a gaming industry wherein the user expects comparable game play speed (frame rates) to that of

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"stand alone". The clients production of scenes (frames) are created through the composition of discrete image elements such as bitmap's and an associated tile map in the game of Ultima Online or the use of polygon characters and environments in the case of Everquest. These techniques of image composition are old and well known in the gaming art. When considered with respect to the updating of game world information (state of the world) the client system displays the location and appearance of other client characters on the display of the original client depending on the original client's view point.

### ***Information Disclosure Statement***

The information disclosure statement filed 7-19-2004 fails to comply with 37 CFR 1.98(a)(1), which requires a list of all patents, publications, or other information submitted for consideration by the Office. It has been placed in the application file, but the information referred to therein has not been considered.

### ***Response to Arguments***

Applicant's arguments filed July 19<sup>th</sup>, 2004 have been fully considered but they are not persuasive.

The claimed inventive thrust relies on the rearrangement of locally stored visual information by a remote agent or server and the subsequent display of the newly arranged visual information to a user.

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The examiner has previously introduced the HTML reference to teach the features of the present invention. In the interest of yet further explaining the correlation between the claimed invention and HTML 2.0 consider the html instruction to display a character such as "Ñ".

Ñ

The html instruction transmitted to the computer specifies the character identifier (ie the name of the character) but the visual depiction of the character is store locally on the client computer in a font library.

Now considering html alignment instructions (ex right, left, center) we can see that this character "Ñ" may be positioned at the discretion of the program code.

Ñ

As for the background data HTML allow the background and foreground colors per instance to be readily changed.

Ñ

Language defining the accumulated program file may be interpreted as an operating system, a font library, or any other various well-known computer constructs pre-stored on desktop personal computers and readily updateable.

The applicant argues that their invention is not "merely" the use of HTML over a network" yet the present claim language fails to draw a separation between the claimed invention and the prior art.

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The composition or definition of a scene are interpreted by the examiner to include any visual display. This definition meets the visual depiction, organization, and re-arrangement of text representative graphics presented in the rejection and example above.

With regards to the newly presented reference of OG, the examiner has presented this reference in order to address the newly amended claim language of "character" with understood an alternative definition.

### ***Conclusion***

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Baker et al (US 6,106,399) teaches Internet audio multi-user role-playing game.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within



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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Mosser whose telephone number is (703)-305-4253. The examiner can normally be reached on 8:30-4:30 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris H Banks can be reached on 703-308-1745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

REM



**DERRIS H. BANKS**  
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